

Landfill Remediation and Closure Program

April 1999

(207) 287-2651

Background.

Maine has about 400 municipal landfills. Only about 25 meet state environmental protection standards. The rest are unlicensed sites that threaten ground and surface water quality because of inappropriate siting, inadequate design or improper operation.

Program Established (38 MRSA §§1310-C et. seq.).

To address this problem, the Maine Legislature created the Solid Waste Landfill Remediation and Closure Program. The program is administered by the Department of Environmental Protection (DEP). Its objectives are to promptly close landfills that pose hazards to public health and the environment; and to eliminate existing hazards.

What is Closure? What is Remediation?

Closure consists of measures taken *to prevent* contamination from landfills. Remediation refers to steps taken *to clean up* contamination from landfills.

Closure typically involves the placement of a soil cover or cap over the landfill to minimize the infiltration of precipitation into the waste. *All landfills must be closed.* Remediation is assessed on a site by site basis where the landfill operation has caused off-site contamination.

Environmental Evaluations (38 MRSA §1310-D(2))

The Department is responsible for overseeing the evaluation of municipal landfills. Evaluations typically involve hiring private consultants to examine site geology and ground water conditions. The purposes are: to evaluate the likelihood or extent of contamination; to identify environmental hazards; and to develop closure plans. Evaluations usually include test borings and water quality analyses to identify and monitor environmental impacts.

In many cases, towns are allowed to conduct these evaluations with the approval of the Department.

Closure and Remediation (38 MRSA §1310-E-1)

The municipality owning the landfill is responsible for carrying out closure and remedial measures. Closure may be accomplished in several ways:

Closure Orders. The Department may incorporate the recommendations of a landfill evaluation in a closing order. If the landfill is high risk, the order must be carried out regardless of the

availability of state funding (see below). If the landfill is not high risk, the municipality can wait until the state share of closure costs is available.

Approved Closure Plans. The municipality may develop a closure plan on its own initiative and submit it to the Department for review and approval. This closing process is required of all licensed municipal solid waste landfills.

Reduced Closure Procedure. An unlicensed landfill may be closed without advance approval from the Department if the landfill is not high risk, has not received hazardous waste and meets specified setbacks from water supply wells and buildings. Municipalities that choose this option must follow federal standards (40 CFR, Part 259, Section 258.60(a)). A copy of the federal requirements is available from the Department upon request.

Alternative Closure Procedure. If an unlicensed landfill is not eligible for the reduced closure option provided in statute, the municipality must notify the Department. The Department may allow the municipality to use the reduced procedure option or may require additional closure measures depending on the landfill characteristics.

Cost Sharing (38 MRSA §1310-F)

In most cases, the state pays 75% of closing costs for towns that have established written agreements with the Department. The state share of closing costs is reduced to 50% for municipalities that did not attempt to complete a closure agreement before July 1, 1994. The cost share will be 30% for towns that wait until after January 1, 1996, to meet their landfill closure obligations.

For landfills that require additional remediation measures, the state may pay 90% of these costs.

Since 1987, Maine voters have approved \$72.5 million in bond funds for landfill closure. An additional \$3 million in state general funds have also been made available. About \$74.5 million has already been distributed to towns and consultants. These funds have supported the closure of 348 landfills. About 13 additional landfills are expected to be closed by January 1, 2000 at an estimated cost of approximately \$4 million.

How Can I Get Additional Information About the Program?

For more information, call the Department at (207) 287-2651, or write to:

Department of Environmental Protection
Bureau of Remediation and Waste Management
Division of Remediation
17 State House Station
Augusta, Maine 04333-0017